



31 August 2023

Planning Officer: Carl Ewin
Direct Telephone: (07) 4086 4656
Our Reference: RAL/23/0008
Your Reference: F23/15

W & A Price
C/- Freshwater Planning Pty Ltd
17 Barronview Drive
FRESHWATER QLD 4870

Dear Applicants,

Action Notice – Not Properly Made

Planning Act 2016

I refer to the application described below which was received by Council on *21 August 2023*. This application is taken to be “not properly made” due to the fact that Lot 10 on SP196701 has not been included in the application as a means of access to Lot 121 on RP903075.

It is acknowledged that Easement B exists through Lot 10 on SP196701, however Lot 121 on RP903075 is not listed as a “dominant tenement” on the registered Easement Form 9 for Easement B. Furthermore, Easement Form 20 for Easement B includes specific provisions which require consent from Sunwater prior to lodgement of any subsequent applications for Reconfiguring a lot of Material change of use over the listed dominant tenement/s.

APPLICATION DETAILS

Application No:	RAL/23/0008
Proposal:	Development Permit for Reconfiguring a Lot – Subdivision (1 into 5 Lots)
Street Address:	1074 Springmount Road, Mutchilba
Real Property Description:	Lot 121 on RP903075 & Lot 10 on SP196701 (for access purposes only)
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

ACTION NOTICE REQUIREMENTS

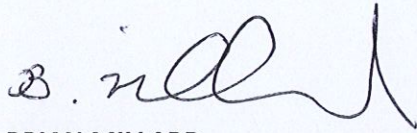
In order for the application to be considered “properly made” the following actions are required:

- Amend the application to include Lot 10 on SP196701 and provide written consent from the landowners of Lot 10 on SP196701 to accompany the application.

In accordance with s3.2 of the *Development Assessment Rules*, you have **20 business days** to comply with the requirements of this notice or request a further extension of time to comply if required.

If you have any further queries in relation to the above, please contact Councils Senior Planner, Carl Ewin on the above number.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Millard', with a stylized flourish at the end.

BRIAN MILLARD
COORDINATOR PLANNING SERVICES